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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Toshio Norita et al.

Application No.: 09/356,564

Filed: July 19, 1999

For: DIGITAL CAMERA AND CONTROL
METHOD THEREOF

) MAIL STOP AF

) Group Art Unit: 2615

) Examiner: Nhan T. Tran

) Confirmation No.: 7986

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RESPONSE TO FINAL REJECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action issued February 12, 2004 in connection with the above-identified application, Applicants respectfully request reconsideration and withdrawal of the rejection of the pending claims.

In paragraph 2 of the Action, the Examiner rejects claims 18, 19, 24, 25 and 30-33 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,124,888 to Terada et al. ("Terada") in view of U.S. Patent No. 5,031,049 to Toyama et al. ("Toyama"). Applicants respectfully traverse this rejection.

It is well known that in order to support a rejection under 35 U.S.C. §103, the Office Action must establish a *prima facie* case of obviousness. To establish a *prima facie* case of obviousness, three basic criteria must be met. First there must be some motivation to modify or combine the applied references. Second, there must be a reasonable expectation of success. Finally, the combination must teach each and every claimed element. In the present case, claims 18, 19, 24, 25 and 30-33 are